

REMARKS

Applicant has amended claims 1, 2, 7, 12, 17, 18, 21-23, 25, 31-34, 35, 39-45, 47-49, 51, 53-63, 65, and 66 and has added new claims 67- 99 as set forth above. In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office asserts that claims 1-6, 12-33, and 34-66 are rejected under 35 U.S.C. § 101 asserting the claimed invention is directed to non-statutory subject matter. The Office asserts the basis of this rejection is a two-prong test of: (1) whether the invention is within the technological arts; and (2) whether the invention produces a useful, concrete, and tangible result. The Office asserts claim 1 recites “a computer system” in its preamble, but does not recite any technological device in the body of the claim in performing the various steps of “processing” within the computer system. The Office also asserts that claims 2-6 and 12-33 also do not recite any application or use of the technological arts, and thus equally rejected under 35 U.S.C. § 101. Further, the Office asserts that claim 34 is directed to a “computer program product” comprising “machine executable code”. However, the Office asserts, in its broadest sense, a computer program product may be a book or print-out of software code and is not statutory unless embodied on a computer-readable medium..

Applicant has amended claims 1-6 and 12-33 to positively recite a computer system in the body of the claims and has amended claims 34-66 to recite a computer readable medium having stored thereon instructions for managing monies and information in connection with an insurance insolvency for execution by a processor. Accordingly, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of that claims 1-6, 12-33, and 34-66 under 35 U.S.C. § 101

The Office has rejected claims 1-66 are rejected under 35 U.S.C. § 103(a) as being unpatentable over King et al (5,704,045) in view of Walker et al (6,119,093). The Office asserts that King discloses a method executed in a computer system for managing monies and information in connection with an insurance insolvency at col. 5, lines 47-67 that designates a state fund for each state associated with said insurance insolvency at col. 9, lines 9-26, and associating with said state fund an insurance account of a first type at Col. 22, lines 45-62. The Office asserts that King does not disclose associating with the insurance

account at least one line of insurance, but asserts Walker suggests associating with the insurance account at least one line of insurance at col. 5, lines 54-65 and col. 12, lines 15-40.

Neither King nor Walker, alone or in combination, disclose or suggest “identifying . . . at least one of a state statute, regulation and rule relating to a number of types of lines of insurance which can be associated with the insurance account . . . determining . . . the number of types of lines of insurance which can be associated with the insurance account based on the identified at least one of a state statute, regulation and rule . . . associating with said insurance account at least one line of insurance which is in the determined number of types of lines of insurance which can be associated with the insurance account” as recited in claim 1 or , “identifying at least one of a state statute, regulation and rule relating to a number of types of lines of insurance which can be associated with the insurance account . . . determining the number of types of lines of insurance which can be associated with the insurance account based on the identified at least one of a state statute, regulation and rule . . . associating with said insurance account at least one line of insurance which is in the determined number of types of lines of insurance which can be associated with the insurance account” as recited in claim 34.

As the Office has acknowledged, King does not disclose associating with the insurance account at least one line of insurance, let alone identifying one or more relevant state statutes, regulations, or rules relating to a number of types of lines of insurance which can be associated with the insurance account, determining the number of types of lines of insurance which can be associated with the insurance account and then associating at least one line of insurance which is in the determined number of types of lines of insurance as claimed. The Office has cited to col. 5, lines 54-65 and col. 12, lines 15-40 in Walker as providing support for suggesting associating the insurance account with at least one line of insurance. However, these cited passages in Walker merely disclose that when a claim is filed on a policy offered in a syndication, the insurance company accesses the syndication information and extracts the appropriate credit line for all members in the syndicate for that policy or the credit card issuing bank accesses the cardholder database and account database and performs transactions related to the determined credit line. However, like King, Walker does not teach or suggest identifying one or more relevant state statutes, regulations, or rules relating to a number of types of lines of insurance which can be associated with the insurance account, determining the number of types of lines of insurance which can be associated with the insurance account and then associating at least one line of insurance which is in the

determined number of types of lines of insurance.

As disclosed on page 44, line 15 to page 45, line 3 and illustrated in Figure 20 in the above-identified patent application, "Within each state, different state accounts may exist,. Funds or monies corresponding to one or more LOI may be associated with a particular account, such as one of 426a-426c. For example, Rhode Island (RI) may correspond to state fund 424a and each of the accounts 426a-426c may correspond to one or more LOIs within RI. In this example, state statute, rules, and regulations may require separate accountings and fund management for each of the auto LOI, and the Worker's Compensation LOI. However, one large "pot" or account may be managed for all other LOIs, for example, including homeowner's insurance, inland marine insurance, and the like. Other state rules, regulations, and statutes may require different organizations and management of state funds. For example, another state may require an individual account for each LOI, rather than, for example, permit an "all other funds" as 426c in RI. This alternative, for example, may be illustrated by the representation of state fund 424b, and associated accounts 428a-428n." Accordingly, the present invention helps to simplify and ensure that the lines of insurance with each of the insurance accounts are properly established in accordance with a state statute, rule, and/or regulation. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claims 1 and 34. Since claims 2-33 depend from and contain the limitations of claim 1 and claims 35-66 depend from and contain the limitations of claim 34, they are distinguishable over the cited references and are patentable in the same manner as claims 1 and 34.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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| Date | 4/13/2005 Sherri A. Moscato Sherri A. Moscato |